IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 9TH JULY 2007 / 18TH ASHADHA 1929

WP(C).No. 3740 of 2007(T)

PETITIONER:

K.N.SARADAMANIAMMA,
W/O.LATE V.R.G. PILLAI, AGED 52 YEARS,
KOIPURATHU VEEDU, KUMBAZHA P.O.,
PATHANAMTHITTA.

BY ADV. SRI.GEORGE CHERIAN (THIRUVALLA)

RESPONDENTS:

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1. THE HON'BLE MOTOR ACCIDENTS
CLAIMS TRIBUNAL, PATHANAMTHITTA.

ADDL. 2. THE DIVISIONAL MANAGER,
UNITED INDIA INSURANCE COMPANY LTD.,
CHINNAKKADA, KOLLA.

(ADDL. R2 IMPLEADED AS PER ORDER IN I.A.NO.1890/07 DATED 19.2.07.

BY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 09/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1: TRUE COPY OF THE AWARD DATED 15.7.06 IN O.P.(MV)NO.83/01 OF MACT PATHANAMTHITTA

EXT.P2: TRUE COPY OF THE LETTER DATED 1.12.06 ISSUED BY KALPATTOOR CO-OPERATIVE BANK LTD.

EXT.P3: TRUE COPY OF THE APPLICATION FILED BY THE PETITINER BEFORE THE RESPONDENT.

EXT.P4: TRUE COPY OF THE ORDER DATED 8.1.07 ISSUED BY THE RESPONDENT.

TRUE COPY

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)NO.3740 OF 2007

DATED THIS THE 9th DAY OF JULY, 2007

JUDGMENT

The petitioner is the beneficiary of Ext.P1 award passed by the Motor Accidents Claims Tribunal, Pathanamthitta. The amount awarded by the Tribunal is lying in fixed deposit. The petitioner filed an application before the Tribunal for releasing Rs.2 lakhs out of the said amount for paying off the amounts borrowed by her from the Kalpattoor Service Co-operative Bank for the marriage of her daughter. The same has been rejected on the ground that already an amount of Rs.3 lakhs was released to the applicant and her daughter. The learned counsel for the petitioner submits that what has been released is the share belonging to her daughter. Taking into account account the facts and circumstances of the case and the fact that an amount of Rs.2,71,066/- with interest is lying in deposit, I direct the Tribunal to disburse Rs.1.5 lakhs to the petitioner.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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